
HOUSE BILL No. 1245

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-30-11-3; IC 33-19-5-5.

Synopsis: Parking tickets and small claims costs fees. Requires a municipal corporation that has established a local ordinance violations bureau to enforce unpaid motor vehicle parking violations by bringing an action in court before the clerk of the court may be required to send: (1) a notice to the registered owner of the motor vehicle; and (2) a referral to the bureau of motor vehicles concerning suspension of the vehicle's registration under the law concerning parking tickets. Exempts political subdivisions from paying the small claims costs fee.

Effective: July 1, 2003.

Ayres, Stevenson

January 13, 2003, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1245

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-30-11-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. **(a) Except as**
3 **provided in subsection (b)**, if it appears from the records of a court
4 that has jurisdiction to enforce ordinances that regulate parking
5 violations that three (3) judgments concerning a motor vehicle have not
6 been paid before the deadlines established by a statute, an ordinance,
7 or a court order, the clerk of the court shall send a notice to the person
8 who is the registered owner of the motor vehicle. The notice must
9 inform the person of the following:
10 (1) That the clerk will send a referral to the bureau if the
11 judgments are not paid within thirty (30) days after a notice was
12 mailed.
13 (2) That the referral will result in the suspension of the motor
14 vehicle's registration if the judgments are not paid.
15 **(b) If a municipal corporation:**
16 **(1) establishes a local ordinance violations bureau under**
17 **IC 33-6-3; and**



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1 (2) enforces ordinances that regulate parking violations
 2 through the local ordinance violations bureau;
 3 a clerk of the court is not required to send the notice described in
 4 subsection (a) or the referral described in section 4 of this chapter
 5 until the municipal corporation has made a reasonable attempt to
 6 enforce the unpaid judgments by bringing an action in the name of
 7 the municipal corporation in any court that has jurisdiction over
 8 the action.

9 SECTION 2. IC 33-19-5-5, AS AMENDED BY P.L.164-2002,
 10 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2003]: Sec. 5. (a) For each small claims action the clerk shall
 12 collect from the party filing the action a small claims costs fee of
 13 thirty-five dollars (\$35). However, a clerk may not collect a small
 14 claims costs fee for a small claims action filed by or on behalf of the
 15 following:

16 (1) The attorney general.

17 (2) A political subdivision.

18 (b) In addition to a small claims costs fee collected under this
 19 section, the clerk shall collect the following fees if they are required
 20 under IC 33-19-6:

21 (1) A document fee.

22 (2) A document storage fee (IC 33-19-6-18.1).

23 (3) An automated record keeping fee (IC 33-19-6-19).

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